



ARIZONA STATE SENATE
Fifty-Fifth Legislature, Second Regular Session

AMENDED

FACT SHEET FOR H.B. 2317

appropriation; border fence construction

Purpose

~~Appropriates \$150,000,000 from the state General Fund (state GF) in FY 2023 to the Border Security Fund (Fund) to administer and manage the construction and maintenance of a physical border fence. Requires the State Treasurer, beginning the month following the general effective date, distribute \$335,000,000 proportionately for each month remaining in the fiscal year from the portion of the Transaction Privilege Tax revenues to the Border Security Fund (Fund).~~

Background

The Fund consists of legislative appropriations, gifts, grants and other donations and is administered by the Arizona Department of Emergency and Military Affairs (DEMA). Fund monies may be used for: 1) preventing human trafficking; 2) preventing the entry into the United States of illegal aliens, terrorists, instruments of terrorism, contraband, narcotics and controlled substances; 3) planning, designing, constructing and maintaining transportation, technology and commercial vehicle inspection infrastructure near the international border; 4) clearing nonindigenous plants; 5) administering and managing the construction and maintenance of a physical border fence; 6) awarding grants to counties to provide housing in secure facilities; and 7) awarding grants to counties for prosecuting individuals that commit any of the outlined crimes ([A.R.S. § 26-105](#)).

In FY 2021, \$55,000,000 was appropriated from the state GF to the Fund ([JLBC](#)).

H.B. 2317 ~~appropriates \$150,000,000 from the state GF in FY 2023 to the Fund.~~ distributes \$335,000,000 of Transaction Privilege Tax (TPT) revenues to Fund.

Provisions

- ~~1. Appropriates \$150,000,000 from the state GF in FY 2023 to the Fund to administer and manage the construction and maintenance of a physical border fence.~~
- ~~2. Requires the State Treasurer, beginning the month following the general effective date, distribute \$335,000,000 proportionately for each month remaining in the fiscal year from the portion of the TPT revenues to the Fund.~~
- ~~3. Requires DEMA to use the monies to construct and maintain a physical border fence, to purchase or install border security technologies, including cameras, sensors, drones, software and to pay associated administrative costs.~~
- ~~4. Requires DEMA to use existing infrastructure and fence and materials for the construction of the physical border fence when feasible.~~

FACT SHEET

bill number

Page 2

5. Requires DEMA, by July 1, 2023, to report to the Joint Legislative Budget Committee (JLBC) on the use of existing infrastructure and fence materials for the construction of the physical border fence.
6. Requires DEMA, in consultation with the Arizona Department of Homeland Security and Department of Public Safety, submit quarterly reports to JLBC on the use of the monies.
7. Declares the Legislature's intent is the TPT distributions do not impact the portion of TPT revenues that cities, towns and counties receive.
8. Becomes effective on the general effective date.

Amendments Adopted by Committee of the Whole

1. Removes the \$150,000,000 appropriation from the state GF in FY 2023 to the Fund.
2. Requires the State Treasurer to distribute \$335,000,000 in TPT revenues to the Fund.
3. Requires DEMA to use the monies to construct and maintain a physical border fence and purchase and install border security technologies.
4. Requires DEMA to report to JLBC on the use of existing infrastructure and the use of the monies.
5. Declares the Legislature's intent is the TPT distribution does not impact cities, towns and counties portion.
6. Makes technical and conforming changes.

House Action

MAPS	1/31/22	DP	8-7-0-0
APPROP	2/2/22	DP	8-5-0-0
3 rd Read	2/24/22		31-28-1

Senate Action

APPROP	3/15/22	DP	6-4-0
--------	---------	----	-------

Prepared by Senate Research
March 11, 2022
LMM/IJ/sr